IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
APPEAL FROM ORDER NO.801 OF 2004

Bombay Gymkhana Limited .... Appellant
Vs.
Capt. Arun Sethi .... Respondent

Shri Vineet B. Naik for the Appellant.

Respondent in-person.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: SEPTEMBER 24, 2004

P.C:

The learned Advocate for the appellant along with the Secretary of the appellant-Club as well as the respondent in-person present. Both submit that the parties have arrived at amicable settlement outside the Court and therefore the appellant wants to withdraw the appeal as well as the respondent wants to withdraw the civil suit filed in the City Civil Court. The appeal is accordingly allowed to be withdrawn and stands disposed of accordingly.

The learned Advocate for the appellant has stated that in view of the amicable settlement arrived at between the parties, the respondent is not required to undergo any further penalty which was sought to be imposed in exercise of the power under Article 28 of the

Memorandum and Articles of Association of Bombay Gymkhana Limited. The said statement by the learned Advocate for the appellant on behalf of the appellant is accepted and is accordingly recorded.

At the oral request by the respondent in person, and in view of the above quoted settlement by the Advocate for the appellant, the City Civil Court is directed to dispose of the Civil Suit No.3636 of 2004 as withdrawn by the plaintiff/the respondent herein.

Parties may be issued the authenticated copy of this order.